

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

DIVISION 80 LLC,

Plaintiff,

v.

MERRICK GARLAND, in his official  
capacity as Attorney General of the  
United States *et al.*,

Defendants.

Case No. 3:22-cv-00148

District Judge Jeffrey V. Brown

**NOTICE OF RECENT AUTHORITY**

Defendants hereby respectfully bring to the Court's attention a recent decision, *Morehouse Enterprises, LLC v. Bureau of Alcohol, Tobacco, Firearms and Explosives et al.*, No. 3:22-cv-116 (D.N.D. Aug. 23, 2022), in further support of Defendants' brief in opposition to Plaintiff's emergency motion for a preliminary injunction (ECF No. 16). *Morehouse Enterprises*, like this case, sought to enjoin the Rule in advance of its August 24, 2022 effective date. In denying the plaintiffs' motion for a preliminary injunction, the court held that the plaintiffs were not entitled to injunctive relief because they had failed to show a likelihood of success on the merits of any of their causes of action. The court also held that ATF's recent corrections to the Rule are "simply a correction of technical or clerical errors" and had no bearing on the request for injunctive relief. A copy of the decision is attached hereto.

DATED: August 23, 2022

Respectfully submitted,

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